

PLAINTIFF'S

EXHIBIT #3

(Statutory 60-day demand letter dated 06/24/2019)

VILLANI LAW FIRM

821 Dawsonville Highway
Suite 250-333
Gainesville, Georgia 30501-2634
(TEL) (770) 985-6773



Ralph J. Villani
Trial Attorney

(FAX) (770) 979-5190
(Email) ralphjvillani@gmail.com

June 24, 2019

60-DAY O.C.G.A. § 33-4-6 DEMAND LETTER

TRAVELERS INSURANCE

The Charter Oak Fire Insurance Company

Attn: Jeffrey A. Teitelbaum, Property Claims Adjuster
P.O. Box 430
Buffalo, NY 14240-430

URGENT - TIME SENSITIVE

Re:	Our Client	:	Janice Scott
	Policy #	:	OCJP39-982221530-633-1
	Claim number	:	H9L5871 (no claim number assigned for 2 nd claim)
	Incident dates	:	(1) September 28, 2018; and, (2) October 1, 2018 (burst pipes - total loss)
	Property location	:	1590 Foote Street NE Atlanta, DeKalb County, GA 30307

Dear Mr. Teitelbaum:

Again, for the record, please be advised that this law firm represents **JANICE SCOTT** regarding and concerning the above-referenced two (2) claims for damages to insured's property losses due to events surrounding two (2) separate incidents of pipes bursting (i.e., on or about September 28, 2018 and October 1, 2018) for water damage, mold, and constructive total loss of property claims pursuant to, in part, O.C.G.A. § 33-4-6.

Please cease and desist any and all direct or indirect contact with my client (i.e., through your inspectors, etc.) - all contacts **MUST** be made through this office and the undersigned (i.e., *inter alia*, documents, estimates, and/or discussions related to claim negotiations and/or inspections, etc.).

The facts are known by **Travelers** and **The Charter Oak Fire Insurance** companies (hereinafter, referred to simply as "Travelers") and any denial of the total indemnity of our client's claims is an indication of USAA's bad faith as contemplated by O.C.G.A. § 33-4-6 and GA law. The home owned by **JANICE SCOTT** is a total loss (a constructive total loss) which has never been fully paid.

Pursuant to O.C.G.A. § 33-4-6, **JANICE SCOTT** hereby demands that Travelers provide to her and the undersigned the following within ten (10) days of this letter:

- 1) Please confirm or deny coverage of the above referenced claims (notwithstanding any partial payment on same or payments contemplated to date);
- 2) Produce a certified copy of the Insurance Policy(ies) in force at all times relevant to this claim; and,
- 3) Please provide the reasonable and accurate basis for any denial of the total indemnity of the property claims by **JANICE SCOTT**, your insured and our client.

This letter constitutes a formal demand for payment by our client **JANICE SCOTT** consistent with her claims for *burst pipes and mold and structural damages* (*sans* deductibles and/or prior payments under this claim - which may be deducted by Travelers) in the amount of:

TWO HUNDRED and TWENTY-SEVEN THOUSAND, TWO HUNDRED, TWENTY-NINE & 44/100ths (\$227,229.44) DOLLARS¹

Pursuant to O.C.G.A. § 33-4-6 payment due shall be made within sixty (60) days of this letter (i.e., on or before Monday, **August 23, 2019**). You already have my client's notarized **PROOF of LOSS**.

Please make all checks payable to: **Janis Scott and her attorney Ralph J. Villani, Esq.**

Please be advised that, if Travelers fails to pay the demanded amounts for this claim within the statutory 60-days (i.e., on or before August 23, 2019), **JANICE SCOTT**, our client, has authorized us to proceed with an **immediate** lawsuit seeking all damages permitted by law (including bad faith damages and attorney fees – and costs of litigation, if applicable).

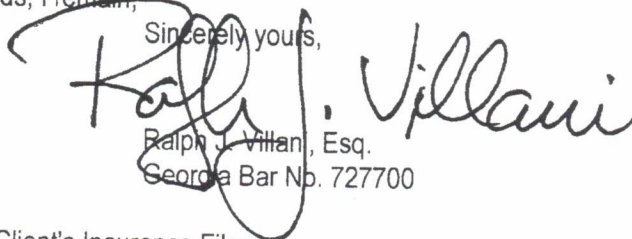
Please govern yourselves accordingly.

If you or your staff have any questions, please contact me at my office number: (770) 985-6773. Please respond at your earliest convenience so that we can note receipt of this demand and, if any client, incident, and or policy information noted herein is incorrect, please inform the undersigned immediately.

ALSO, WE NEED TO SPEAK ABOUT THE SEVERAL "PEOPLE LIKE YOU" AND "YOU PEOPLE" COMMENTS (RACIAL SLURS) YOU HURLED AT MY CLIENT.

With high professional regards, I remain,

Sincerely yours,



Ralph J. Villani, Esq.
Georgia Bar No. 727700

RJV/blv

cc: **JANICE SCOTT**, Client/Client's Insurance Files

¹ **\$113,614.72** for each claim.